

INITIAL STATEMENT OF REASONS

Triennial Recertification of Academy Instructors

Regulation 1009

At the June 24, 2011 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulation 1009.

POST is proposing a change to the term of recertification of academy instructors from a rotating schedule depending on the date of initial certification to a fixed period.

Justification for Proposed Revisions

When Regulation 1009 was initially adopted subsection (f) (3) provided that the recertification of the training would be on "...three year anniversary of the certificate issuance". That date came up for instructors starting in 2010 and continued into 2011. This regulation created an unanticipated workload for academies to track instructors that were in need of recertification.

In 2008, the POST Commission converted the period for renewing Continuing Professional Training (CPT) provided in Regulation 1005 from a "rolling period" to a fixed period. This conversion began on January 1, 2009 and was completed on December 31, 2010. Agencies reported this changed significantly reduced their workload and made compliance with POST regulations for CPT much more manageable.

The Directors of the of 40 academies certified by POST requested that POST consider converting the "rolling period" for recertification of academy instructors to a fixed period as was done for all peace officers as provided in Regulation 1005. Staff surveyed the field and consulted with stakeholders and found overwhelming support for converting the recertification period for academy instructors from a "rolling period" to a "fixed period". The term of certification remained at three years as provided in existing regulation.

Reasonable Alternatives to the Regulation and the Agency's Reasons for Rejecting those Alternatives

POST did not consider alternatives to the regulation, nor were there any presented to it prior to this rulemaking.

Reasonable Alternative to the Proposed Regulatory Action that Would Lessen Any Adverse Impact on Small Business

The agency analyzed any potential adverse impacts the proposed regulation would have on small business. Finding none, POST makes its determination that there are no alternatives to present since there would not be an adverse impact on small business.

Evidence Supporting Finding of No Significant Statewide Adverse Economic Impact Directly Affecting Business

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

Identification of any Technical, and /or Empirical Study, Reports, or Documents Relied Upon

None.